

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

STARBUCKS CORPORATION,

Plaintiff,

-v-

NEW WTC RETAIL OWNER LLC,

Defendant.

CIVIL ACTION NO.: 21 Civ. 400 (VM) (SLC)

ORDER

SARAH L. CAVE, United States Magistrate Judge.

Before the Court is a letter-motion by non-party The Port Authority of New York and New Jersey (“Port Authority”) to quash a document subpoena (the “Subpoena”) served by Plaintiff Starbucks Corporation (“Starbucks”) or, in the alternative, for an award of costs associated with responding to the Subpoena. (ECF No. 48 (the “Letter-Motion”)). At the discovery conference held today, February 4, 2022 (the “Conference”), Port Authority confirmed that it has collected, is reviewing, and will produce additional emails resulting from the search terms agreed at the January 12, 2022 conference, in response to the Subpoena (the “Supplemental Response”), and Starbucks confirmed that following production of the Supplemental Response, Port Authority will have satisfied its obligations under the Subpoena. Accordingly, to the extent that the Letter-Motion sought to quash the Subpoena, it is DENIED AS MOOT.

Port Authority’s request in the Letter-Motion for costs remains pending. Starbucks and Port Authority are directed to meet and confer to resolve Port Authority’s request for costs. Should they not reach an agreement, then by **March 4, 2022**, Port Authority shall file a supplement of no longer than three pages to the Letter-Motion explaining, with evidentiary

support, the amount of attorneys' fees and costs it seeks with respect to the Subpoena. By **March 11, 2022**, Starbucks shall file its response of no longer than three pages.

Following today's Conference, Starbucks and Defendant New WTC Retail Owner LLC were scheduled to meet and confer regarding the parties' document productions and scheduling of depositions. The parties may submit a stipulation for the Court's review and approval regarding adjournment of the interim deadlines for completion of party depositions and service of requests for admission, which are currently March 4, 2022 and March 11, 2022, respectively. (ECF No. 44). All other deadlines, in particular the close of fact discovery on April 1, 2022, remain in effect. (Id.)

A telephone conference is scheduled for **Thursday, March 24, 2022 at 3:00 pm** on the Court's conference line. The parties are directed to call: (866) 390-1828; access code: 380-9799, at the scheduled time.

Dated: New York, New York
February 4, 2022

SO ORDERED.



SARAH L. CAVE
United States Magistrate Judge